
SUBSTITUTE HOUSE BILL 2650

State of Washington

58th Legislature

2004 Regular Session

By House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Linville, Flannigan, Cooper, Priest, Quall, Jarrett, Kessler, Tom, Rockefeller, Dunshee, Grant, Romero, Moeller, McDermott, O'Brien, Chase, Upthegrove, Hunt, G. Simpson, Kenney, Wallace, Wood and Kagi)

READ FIRST TIME 02/06/04.

1 AN ACT Relating to important bird areas; amending RCW 79.70.020;
2 adding a new section to chapter 79.70 RCW; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** Washington state has a rich variety of
5 birds, wildlife and fish that its citizens and visitors enjoy. With
6 over three hundred sixty-five bird species, Washington state can use
7 this natural asset to attract nature tourists from all over the country
8 and the world. According to a United States fish and wildlife service
9 report, thirty-six percent of Washington's residents currently
10 participate in bird watching, and the watchable wildlife industry
11 brings nearly one billion dollars per year into the state's economy.

12 The 2003 legislature recognized the economic value of promoting
13 watchable wildlife and nature tourism when it required the departments
14 of fish and wildlife and community, trade, and economic development to
15 host a watchable wildlife and nature tourism conference and write a
16 statewide strategic plan. The 2002 legislature recognized the value of
17 identifying and conserving our state's biodiversity for future
18 generations when it created the biodiversity task force and required a
19 plan be developed to recommend ways to conserve biodiversity.

1 Furthermore, over the past fifteen years, the legislature has
2 recognized the important contributions volunteers and nonprofit
3 organizations have made in restoring and monitoring salmon and wildlife
4 habitat. Therefore, it is the goal of the legislature to promote:
5 Partnerships with volunteers; rural economic development; nature
6 tourism; and conservation of biodiversity by encouraging partnerships
7 between state government agencies, volunteers, and nonprofit
8 organizations to designate and conserve natural assets that attract
9 nature tourists and bird watchers to Washington's rural areas.

10 To accomplish this goal, the legislature recognizes the scientific
11 work by the organization Audubon Washington to use internationally
12 recognized scientific criteria and protocols to identify, conserve, and
13 monitor areas of the state that are important for migrating and
14 resident birds. Scientists, ornithologists, and qualified volunteers
15 have identified important bird areas. Audubon Washington is working
16 with other wildlife conservation organizations and their volunteers to
17 develop mutually agreed-upon bird conservation plans and monitoring
18 plans in cooperation with public land managers and private landowners.
19 Volunteers and scientists in more than one hundred countries around the
20 world have already completed identification of fourteen thousand two
21 hundred sixty sites that qualify as important bird areas.

22 Qualified volunteers and scientists have already successfully used
23 the international criteria to identify fifty-three sites important for
24 birds in Washington. Following the final round of site selection,
25 Audubon Washington and volunteers plan to work with landowners,
26 businesses, and local and state governments to develop plans to
27 maintain or enhance sites that will then become destinations for nature
28 tourists to promote rural economic development. Therefore, it is the
29 intent of the legislature to have Washington participate in the
30 recognition portion of the important bird area program by directing the
31 natural heritage program at the department of natural resources to
32 officially recognize important bird areas.

33 NEW SECTION. **Sec. 2.** A new section is added to chapter 79.70 RCW
34 to read as follows:

35 (1) The program may use information collected by a qualifying
36 nonprofit organization to recognize important bird areas. The program
37 should, to the greatest extent possible, coordinate with and use

1 internationally agreed-upon, scientific criteria and protocols
2 developed by a qualifying nonprofit organization to officially
3 recognize these sites throughout Washington.

4 (2) When the program recognizes an important bird area, that
5 information will be included in the program's data bank.

6 (3) The qualifying nonprofit organization that collected the
7 information used to recognize important bird areas should be available
8 to work with interested landowners, businesses, and state and local
9 governments to identify ways to maintain or enhance the important bird
10 areas.

11 **Sec. 3.** RCW 79.70.020 and 2003 c 334 s 548 are each amended to
12 read as follows:

13 The definitions in this section apply throughout this chapter
14 unless the context clearly requires otherwise.

15 (1) "Department" means the department of natural resources.

16 (2) "Natural areas" and "natural area preserves" include such
17 public or private areas of land or water which have retained their
18 natural character, although not necessarily completely natural and
19 undisturbed, or which are important in preserving rare or vanishing
20 flora, fauna, geological, natural historical or similar features of
21 scientific or educational value and which are acquired or voluntarily
22 registered or dedicated by the owner under this chapter.

23 (3) "Public lands" and "state lands" have the meaning set out in
24 RCW 79.02.010.

25 (4) "Council" means the natural heritage advisory council as
26 established in RCW 79.70.070.

27 (5) "Commissioner" means the commissioner of public lands.

28 (6) "Important bird area" means those areas jointly identified by
29 the natural heritage program and a qualifying nonprofit organization
30 using internationally recognized scientific criteria. These areas have
31 been found to be necessary to conserve populations of wild birds native
32 to and migrating through Washington state, and contain the habitats
33 that birds are dependent upon for breeding, migration, shelter, and
34 sustenance. These sites are then eligible to be considered under this
35 chapter.

36 (7) "Instrument of dedication" means any written document intended
37 to convey an interest in real property pursuant to chapter 64.04 RCW.

1 ~~((7))~~ (8) "Natural heritage resources" means the plant community
2 types, aquatic types, unique geologic types, and special plant and
3 animal species and their critical habitat as defined in the natural
4 heritage plan established under RCW 79.70.030.

5 ~~((8))~~ (9) "Plan" means the natural heritage plan as established
6 under RCW 79.70.030.

7 ~~((9))~~ (10) "Program" means the natural heritage program as
8 established under RCW 79.70.030.

9 ~~((10))~~ (11) "Qualifying nonprofit organization" means a national
10 nonprofit organization, or a branch of a national nonprofit
11 organization, that conserves and restores natural ecosystems, focusing
12 on birds, other wildlife, and their habitat.

13 (12) "Register" means the Washington register of natural area
14 preserves as established under RCW 79.70.030.

--- END ---